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UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK	
IN RE WORLD TRADE CENTER DISASTER SITE LITIGATION	21 MC 100 (AKH)
RAYMOND CONTORNO AND MAUREEN CONTORNO	DOCKET NO.
Plaintiffs,	CHECK-OFF ("SHORT FORM") COMPLAINT RELATED TO THE
- against -	MASTER COMPLAINT
A RUSSO WRECKING, ET. AL.,	PLAINTIFF(S) DEMAND A TRIAL BY JURY
SEE ATTACHED RIDER,	
Defendants.	
By Order of the Honorable Alvin K. Hellers 2006, ("the Order"), Amended Master Complaints for	tein, United States District Judge, dated June 22, all Plaintiffs were filed on August 18, 2006.
NOTICE C	OF ADOPTION
All headings and paragraphs in the Master Constant Plaintiff(s) as if fully set forth herein in addit Plaintiff(s), which are listed below. These are marked and specific case information is set forth, as needed, because of the constant of	with an '\(\varD\'\)" if applicable to the instant Plaintiff(s),
Plaintiffs, RAYMOND CONTORNO AND M WORBY GRONER EDELMAN & NAPOLI BERN, I allege:	AUREEN CONTORNO, by his/her/their attorneys LLP, complaining of Defendant(s), respectfully

I. PARTIES

A. PLAINTIFF(S)

1. ndividual a	✓ Plaintiff, RAYMOND nd a citizen of New York resi	ding at 1397 Britton Stre	ter the "Injured Plaintiff"), is an eet, Wantagh, NY 11793
2.	Alternatively, □	(OR) is the	of Decedent
	, and brings this claim	in his (her) capacity as	of the Estate of
	Please	read this document carefu	lly.
	It is very important that you	fill out each and every sec	ction of this document.

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3. Plaintiff, Maureen Contorno (hereinafter the "Derivative Plaintiff"), is a citizen of New York residing at 1397 Britton Street, Wantagh, NY 11793-, and has the following relationship to the Injured Plaintiff:					
	SPOUSE at all relevant times herein, is and has been lawfully married to Plaintiff RAYMOND CONTORNO, and brings this derivative action for her (his) loss du to the injuries sustained by her husband (his wife), Plaintiff RAYMOND CONTORNO.				
		Other:			
4. Police Depart	In the period from 9/12/2001 to 9/28 tment (NYPD) as a Police Officer at:	/2001 the Injured Plaintiff worked for New York			
1	Please be as specific as possible when	filling in the following dates and locations			
=======					
	1 Trade Center Site	☐ The Barge			
Location(s) (<i>i</i>	i.e., building, quadrant, etc.)	From on or about until; Approximately hours per day; for			
	oout <u>9/12/2001</u> until <u>9/28/2001</u> ;	Approximately days total.			
	ly <u>13</u> hours per day; for ly <u>6</u> days total.	□ Other:* For injured plaintiffs who worked at			
The New Y	Vouls City Madical Evaminaria Office	Non-WTC Site building or location. The injured			
	York City Medical Examiner's Office pout until,	plaintiff worked at the address/location, for the			
Approximatel	ly hours per day; for ly days total.	dates alleged, for the hours per day, for the total days, and for the employer, as specified below:			
□ The Fresh	Kills Landfill	From on or about;			
	oout;	Approximately hours per day; for Approximately days total;			
	ly hours per day; for	Name and Address of Non-WTC Site			
Approximate	ly days total.	Building/Worksite:			
	*	paper if necessary. If more space is needed to specify arate sheet of paper with the information.			
5.	Injured Plaintiff				
Was exposed to and breathed noxious fumes on all dates, at the site(s) indicated above;					
Was exposed to and inhaled or ingested toxic substances and particulates on all dates at the site(s) indicated above;					
Was exposed to and absorbed or touched toxic or caustic substances on all dates a the site(s) indicated above;					
	✓ Other: Not yet determined				
	Please read this do	ocument carefully.			

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6.

 U.S.C. § 40101, the issue of waiver is inapplicable. Made a claim to the Victim Compensation Fund that was denied. Pursuant to § 405(c)(3)(B)(i) of the Air Transportation Safety and System Stabilization Act, 49 U.S.C. § 40101, the issue of waiver is inapplicable. Made a claim to the Victim Compensation Fund, that was subsequently withdraw by Ground-Zero Plaintiff. Pursuant to § 405(c)(3)(B)(i) of the Air Transportation Safety and System Stabilization Act, 49 U.S.C. § 40101, the issue of waiver is inapplicable. Made a claim to the Victim Compensation Fund that was granted. Pursuant to § 	Injured	l Plaintiff
 405(c)(3)(B)(i) of the Air Transportation Safety and System Stabilization Act, 49 U.S.C. § 40101, the issue of waiver is inapplicable. □ Made a claim to the Victim Compensation Fund, that was subsequently withdraw by Ground-Zero Plaintiff. Pursuant to § 405(c)(3)(B)(i) of the Air Transportation Safety and System Stabilization Act, 49 U.S.C. § 40101, the issue of waiver is inapplicable. □ Made a claim to the Victim Compensation Fund that was granted. Pursuant to § 405(c)(3)(B)(i) of the Air Transportation Safety and System Stabilization Act, 49 U.S.C. § 40101, Ground Zero-Plaintiff has waived her/his right(s) to pursue any 	V	§405(c)(3)(B)(i) of the Air Transportation Safety and System Stabilization Act, 49
 by Ground-Zero Plaintiff. Pursuant to § 405(c)(3)(B)(i) of the Air Transportation Safety and System Stabilization Act, 49 U.S.C. § 40101, the issue of waiver is inapplicable. □ Made a claim to the Victim Compensation Fund that was granted. Pursuant to § 405(c)(3)(B)(i) of the Air Transportation Safety and System Stabilization Act, 49 U.S.C. § 40101, Ground Zero-Plaintiff has waived her/his right(s) to pursue any 		405(c)(3)(B)(i) of the Air Transportation Safety and System Stabilization Act, 49
405(c)(3)(B)(i) of the Air Transportation Safety and System Stabilization Act, 49 U.S.C. § 40101, Ground Zero-Plaintiff has waived her/his right(s) to pursue any		, ,
		405(c)(3)(B)(i) of the Air Transportation Safety and System Stabilization Act, 49 U.S.C. § 40101, Ground Zero-Plaintiff has waived her/his right(s) to pursue any

B. DEFENDANT(S)

The following is a list of all Defendant(s) named in the Master Complaint. If checked, all paragraphs pertaining to that Defendant are deemed pleaded herein.

☑ THE CITY OF NEW YORK	☑ A RUSSO WRECKING
✓ A Notice of Claim was timely filed and	☑ ABM INDUSTRIES, INC.
served on 6/20/07 and	☑ ABM JANITORIAL NORTHEAST, INC.
☐ pursuant to General Municipal Law §50-	☑ AMEC CONSTRUCTION MANAGEMENT,
h the CITY held a hearing on(OR)	INC.
✓ The City has yet to hold a hearing as	✓ AMEC EARTH & ENVIRONMENTAL, INC.
required by General Municipal Law §50-h	☑ ANTHONY CORTESE SPECIALIZED
✓ More than thirty days have passed and	HAULING, LLC, INC.
the City has not adjusted the claim	✓ ATLANTIC HEYDT CORP
(OR)	☑ BECHTEL ASSOCIATES PROFESSIONAL
☐ An Order to Show Cause application to	CORPORATION
deem Plaintiff's (Plaintiffs') Notice of	☑ BECHTEL CONSTRUCTION, INC.
Claim timely filed, or in the alternative to grant	☑ BECHTEL CORPORATION
Plaintiff(s) leave to file a late Notice of Claim	☑ BECHTEL ENVIRONMENTAL, INC.
Nunc Pro Tunc (for leave to file a late Notice of	☑ BERKEL & COMPANY, CONTRACTORS,
Claim <i>Nunc Pro Tunc</i>) has been filed and a	INC. ☑ BIG APPLE WRECKING & CONSTRUCTION
determination	CORP
☐ is pending	□ BOVIS LEND LEASE, INC.
☐ Granting petition was made on	☑ BOVIS LEND LEASE, INC. ☑ BOVIS LEND LEASE LMB, INC.
Denying petition was made on	☑ BOVIS LEND LEASE LIND, INC. ☑ BREEZE CARTING CORP
=======================================	☑ BREEZE NATIONAL, INC.
☑ PORT AUTHORITY OF NEW YORK AND	☑ BREE-FOUR TRANSPORTATION CORP.
NEW JERSEY ["PORT AUTHORITY"]	☑ BURO HAPPOLD CONSULTING ENGINEERS,
✓ A Notice of Claim was filed and served	P.C.
pursuant to Chapter 179, §7 of The	☑ C.B. CONTRACTING CORP
Unconsolidated Laws of the State of New	☑ CANRON CONSTRUCTION CORP
York on 6/20/07	☐ CONSOLIDATED EDISON COMPANY OF
✓ More than sixty days have elapsed since	NEW YORK, INC.
the Notice of Claim was filed, (and)	☑ CORD CONTRACTING CO., INC
☐ the PORT AUTHORITY has	\square CRAIG TEST BORING COMPANY INC.
adjusted this claim	☑ DAKOTA DEMO-TECH
✓ the PORT AUTHORITY has not	☑ DIAMOND POINT EXCAVATING CORP
adjusted this claim.	☑ DIEGO CONSTRUCTION, INC.
=======================================	☑ DIVERSIFIED CARTING, INC.
☐ 1 WORLD TRADE CENTER, LLC	✓ DMT ENTERPRISE, INC.
□ 1 WTC HOLDINGS, LLC	☑ D'ONOFRIO GENERAL CONTRACTORS
☐ 2 WORLD TRADE CENTER, LLC	CORP
☐ 2 WTC HOLDINGS, LLC	☑ EAGLE LEASING & INDUSTRIAL SUPPLY ☑ EAGLE ONE ROOFING CONTRACTORS INC.
☐ 4 WORLD TRADE CENTER, LLC	☐ EAGLE SCAFFOLDING CO, INC.
☐ 4 WTC HOLDINGS, LLC	☑ EAGLE SCAFFOLDING CO, INC. ☑ EJ DAVIES, INC.
☐ 5 WORLD TRADE CENTER, LLC	☑ EJ DAVIES, INC. ☑ EN-TECH CORP
☐ 5 WTC HOLDINGS, LLC	□ ET ENVIRONMENTAL
☐ 7 WORLD TRADE COMPANY, L.P.	□EVANS ENVIRONMENTAL
	I .

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☑ ROYAL GM INC. ☑ SAB TRUCKING INC.

✓ SAFEWAY ENVIRONMENTAL CORP

☑ SEASONS INDUSTRIAL CONTRACTING

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☑ YANNUZZI & SONS INC

☐ OTHER:

✓ YONKERS CONTRACTING COMPANY, INC.

✓ YORK HUNTER CONSTRUCTION, LLC

☑ ZIEGENFUSS DRILLING, INC.

☐ Non-WTC Site Building Owner	☐ Non-WTC Site Building Managing Agent
Name:	Name:
Business/Service Address:	
Building/Worksite Address:	Building/Worksite Address:
☐ Non-WTC Site Lessee	· ·
Name:	
Business/Service Address:	
Building/Worksite Address:	

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The Court's jurisdiction over the subject matter of this action is:

☑ Founded upon Federal Question Jurisdiction; specifically; ☑; Air Transport Safety & System Stabilization Act of 2001, (or); ☐ Federal Officers Jurisdiction, (or); ☐ Other (specify):; ☐ Contested, but the Court has already determined that it has				
remov	val jurisdiction over this action, pursuant to 28	U.S.C	C. § 1441.	
	III CAUSES OF ACTION			
Plaintiff(s) seeks damages against the above named defendants based upon the following theories of liability, and asserts each element necessary to establish such a claim under the applicable substantive law:				
V	Breach of the defendants' duties and obligations pursuant to the New York State Labor Law(s) including §§ 200 and 240	V	Common Law Negligence, including allegations of Fraud and Misrepresentation	
✓	Breach of the defendants' duties and obligations pursuant to the New York State Labor Law 241(6)		 ✓ Air Quality; ✓ Effectiveness of Mask Provided; ✓ Effectiveness of Other Safety Equipment Provided 	
	Pursuant to New York General Municipal Law §205-a		(specify:); ✓ Other(specify): Not yet determined	
V	Pursuant to New York General Municipal Law §205-e		Wrongful Death	
		V	Loss of Services/Loss of Consortium for Derivative Plaintiff	

Other: _

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1. As a direct and proximate result of defendant's culpable actions in the rescue and/or recovery and/or construction, renovation, alteration, demolition and all work performed at the premises, the Injured Plaintiff sustained (including, but not limited to) the following injuries:

Cancer Injury: N/A. Date of onset: Date physician first connected this injury to WTC work:		Cardiovascular Injury: N/A. Date of onset: Date physician first connected this injury to WTC work:
Respiratory Injury: Cough; Respiratory Problems; Shortness of Breath; Wheezing Date of onset: 3/27/2007 Date physician first connected this injury to WTC work: To be supplied at a later date		Fear of Cancer Date of onset: 3/27/2007 Date physician first connected this injury to WTC work: To be supplied at a later date
Digestive Injury: N/A. Date of onset: Date physician first connected this injury to WTC work:	▽	Other Injury: Sleep Problems; Sleeping Problems Date of onset: 3/27/2007 Date physician first connected this injury to WTC work: To be supplied at a later date

NOTE: The foregoing is NOT an exhaustive list of injuries that may be alleged.

2. As a direct and proximate result of the injuries identified in paragraph "1", above, the Ground Zero-Plaintiff has in the past suffered and/or will in the future suffer the following compensable damages:

damages: \checkmark Pain and suffering \checkmark Loss of the enjoyment of life \checkmark Loss of earnings and/or impairment of earning capacity \checkmark Loss of retirement benefits/diminution of retirement benefits \checkmark Expenses for medical care, treatment, and rehabilitation \checkmark Other: ✓ Mental anguish **☑** Disability ✓ Medical monitoring ✓ Other: Not yet determined._

3. As a direct and proximate result of the injuries described *supra*, the derivative plaintiff(s), if any, have in the past suffered and/or will in the future suffer a loss of the love, society, companionship, services, affection, and support of the plaintiff and such other losses, injuries and damages for which compensation is legally appropriate.

WHEREFORE, plaintiff(s) respectfully pray that the Court enter judgment in his/her/their favor and against defendant(s) for damages, costs of suit and such other, further and different relief as may be just and appropriate.

Plaintiff(s) demands that all issues of fact in this case be tried before a properly empanelled jury.

Dated: New York, New York October 30, 2007

Yours, etc.,

Contorno

Worby, Groner Edelman & Napoli Bern, LLP

Attorneys for Plaintiff(s), Raymond Contorno and Maureen

By: _____

Christopher R. LoPalo (CL 6466)

115 Broadway 12th Floor

New York, New York 10006

Phone: (212) 267-3700

ATTORNEY VERIFICATION

CHRISTOPHER R. LOPALO, an attorney at law, duly admitted to practice in the Courts of the State of New York, affirms under the penalties of perjury that:

He is the attorney for the plaintiff(s) in the above-entitled action.

That he has read the foregoing SUMMONS AND VERIFIED COMPLAINT and knows

the contents thereof, and upon information and belief, deponent believes

the matters alleged therein to be true.

The reason this Verification is made by deponent and not by the plaintiff(s) is that the plaintiff(s) herein reside(s) in a county other than the one in which the plaintiff's attorneys maintain their office.

The source of deponent's information and the grounds of his belief are communication, papers, reports and investigation contained in the file.

DATED: New York, New York
October 30, 2007

CHRISTOPHER R. LOPALO

Docket No: UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK RAYMOND CONTORNO (AND WIFE, MAUREEN CONTORNO), Plaintiff(s) - against -A RUSSO WRECKING, ET. AL., Defendant(s). SUMMONS AND VERIFIED COMPLAINT WORBY GRONER EDELMAN & NAPOLI BERN, LLP Attorneys for: Plaintiff(s) Office and Post Office Address, Telephone 115 Broadway - 12th Floor New York, New York 10006 (212) 267-3700 To Attorney(s) for Service of a copy of the within is hereby admitted. Dated, Attorney(s) for PLEASE TAKE NOTICE: \square NOTICE OF ENTRY that the within is a (certified) true copy of an duly entered in the office of the clerk of the within named court on □ NOTICE OF SETTLEMENT that an order of which the within is a true copy will be presented for settlement to the HON. one of the judges of the within named Court, at 20 at Μ. Dated, Yours, etc., WORBY GRONER EDELMAN & NAPOLI BERN, LLP